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United States Senate

COMMITTEE ON COMMERCE, SCIENCE,
AND TRANSPORTATION

WASHINGTON, DC 20510-6125

WEB SITE: <http://commerce.senate.gov>

November 5, 2009

Mr. Jeffrey H. Boyd
President & Chief Executive Officer
Priceline.com, Inc.
800 Connecticut Avenue
Norwalk, CT 06854

Dear Mr. Boyd:

I am writing to you regarding Priceline.com, Inc.'s partnership with Affinion Group, Inc., and the impact this partnership has on your online customers. In July 2009, I requested documents and information from Affinion in order to better understand its Internet business practices, which have been the focus of criticism by consumer advocates and have generated thousands of individual consumer complaints.

It is my understanding that Priceline.com is currently partnered with Affinion and engages in these controversial practices in its online business. Priceline.com apparently allows Affinion to present enrollment offers to its online customers as they check out of the Priceline.com site, and has agreed to pass Priceline.com customers' billing information, including their credit card or debit card numbers, to Affinion via a so-called "data pass" process.

The Committee has been investigating allegations that these post-transaction offers, when combined with the "data pass" billing process, confuse online consumers and cause them to unknowingly and inadvertently become enrolled in membership clubs offered by Affinion. These consumers are then charged on a monthly basis for a service they did not want and are unaware they have.

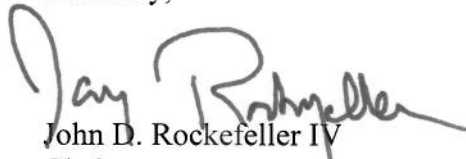
In order to better understand Priceline.com's awareness of these controversial practices and its involvement in "data pass," post-transaction marketing, I request that you provide answers to the following questions by Friday, November 14, 2009.

1. Does Priceline.com currently allow Affinion to engage in post-transaction marketing on the Priceline.com website? If so, why?
2. Does Priceline.com employ the "data pass" process to transfer its customers' billing information, including credit card or debit card numbers, to Affinion? If so, why?
3. How many Priceline.com customers have enrolled in Affinion membership programs via "data pass," post-transaction marketing on the Priceline.com website?

4. Has Priceline.com received complaints or communications from its online customers who claim they have unknowingly or inadvertently enrolled in membership programs offered by Affinion?
5. Does Priceline.com believe that its online customers have unknowingly or inadvertently enrolled in membership programs offered by Affinion?
6. Does Affinion provide Priceline.com with information related to the rates at which its customers utilize Affinion's membership program or the rate at which they cancel their membership? If so, what are those rates?

The Committee is conducting this investigation under the authority of Senate Rules XXV and XXVI. If you have any questions, please contact Erik Jones or John Williams with the Committee staff at (202) 224-1300.

Sincerely,


John D. Rockefeller IV
Chairman